

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 7788 OF 2006

1. Shri Dattatray Waman Kumbhar & anr.] .. Petitioners

Versus

1. Shri Vitthal Namdeo Kumbhar & 2 ors.] .. Respondents

Mr. P.M. Havnur for the petitioners.

CORAM: S.B. MHASE, J.

DATED: 22ND JUNE, 2007

P.C. :

. Heard.

2. This matter arises from a Regular Civil Suit No.76 of 2005 filed by the petitioners. In the said Suit the application Exhibit-5 was given for injunction which was rejected by the Joint Civil Judge, Junior Division, Phaltan, on 21st December, 2005. As against that order, the Appeal No.4 of 2006 was preferred before the District Judge, Satara. The said Appeal has also been dismissed by the District Judge, Satara by order dated 22nd June, 2006. Concurrent finding of facts have been recorded. This Court refrains to entertain the Petition and it is, accordingly, rejected.

3. However, the learned counsel for the petitioner requested that his Regular Civil Suit may be expedited and the Joint Civil Judge, Junior Division, Phaltan be directed to dispose of the Suit within a stipulated period. In view thereof, the Joint Civil Judge, Junior Division, Phaltan is hereby directed to dispose of the said Suit within a period of one year. So also, the Regular Civil Suit No.112 of 2003 which is filed by the defendant in respect of the same subject matter will be disposed of within the above referred stipulated period.

Sd/-
[S.B. MHASE, J.]